

2/1/2011

EXHIBIT

5

DATE

2/2/2011

HB

323

The
Constitution
of the State of Montana

We the People

*We the People of Montana
grateful to God for the great beauty
of our state, the goodness of our
institutions, the wisdom of our calling
plans, and desiring to preserve the
quality of life, equality of opportunity
and to secure the blessings of liberty
for this and future generations do
ordain and establish this constitution.*

Linda McCulloch
Secretary of State



Constitution of Montana

Article III GENERAL GOVERNMENT

Section 1. Separation of powers.

The power of the government of this state is divided into three distinct branches--legislative, executive, and judicial.

No person or persons charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others, except as in this constitution expressly directed or permitted.

Constitution of Montana

Article VII THE JUDICIARY

Section 1. Judicial power.

The judicial power of the state is vested in one supreme court, district courts, justice courts, and such other courts as may be provided by law.

Constitution of Montana

Article V THE LEGISLATURE

Section 1. Power and structure.

The legislative power is vested in a legislature consisting of a senate and a house of representatives. The people reserve to themselves the powers of initiative and referendum.

Constitution of Montana

Article VI THE EXECUTIVE

Section 1. Officers.

- (1) The executive branch includes a governor, lieutenant governor, secretary of state, attorney general, superintendent of public instruction, and auditor.

Section 4. Duties.

- (1) The executive power is vested in the governor who shall see that the laws are faithfully executed. He shall have such other duties as are provided in this constitution and by law.





